

R E M A R K S

The Office Action of January 14, 2002 presents the examination of claims 34, 41-43, 45, and 48-52, claim 54 being withdrawn from consideration. Claims 34, 41, 42, 51 and 52 are allowed. Claims 43, 45, and 48-50 remain rejected. Claims 43, 45, and 54 are canceled herein. Claims 41-42, 48, and 51-52 are amended. No new matter is inserted into the application.

Interview

An interview with the Examiner was conducted on May 23, 2002. The assistance of the Examiner in advancing prosecution of the application is much appreciated.

Rejection under 35 U.S.C. § 112, first paragraph

Written Description

Claims 43, 45 and 48-50 stand rejected under 35 U.S.C. § 112, first paragraph, for alleged lack of written description of the invention. Claims 43 and 45 are canceled, thus rendering rejection of said claims moot. The rejection applied to claims 48-50 is respectfully traversed. Reconsideration of the claims and withdrawal of the instant rejection are respectfully requested.

Claim 48 is amended to depend from non-rejected claims. Specifically, claim 48 is amended to depend from claims 34, 41, or 42. Claim 49 depends from claim 48, and claim 50 depends from claim 49. Thus, the claims are amended in a fashion that the Examiner indicated in the interview of May 23, 2002, would place them into condition for allowance. Accordingly, withdrawal of the instant rejection is therefore respectfully requested.

Enablement

Claims 43, 45, and 48-50 are rejected under 35 U.S.C. § 112, first paragraph for allegedly not being enabled by the specification. Claims 43 and 45 are canceled, thus rendering rejection of said claims moot. The rejection applied to claims 48-50 is respectfully traversed. Reconsideration of the claims and withdrawal of the instant rejection are respectfully requested.

Claim 48 is amended to depend from non-rejected claims. Specifically, claim 48 is amended to depend from claims 34, 41, or 42. Claim 49 depends from claim 48, and claim 50 depends from claim 49. Thus, the claims are amended in a fashion that the Examiner indicated in the interview of May 23, 2002, would place

them into condition for allowance. Accordingly, withdrawal of the instant rejection is therefore respectfully requested.

Claim Amendments

As discussed with the Examiner during the interview held on May 23, 2002, Applicants amend the claims to insert the phrase "a complement of" in claims 41 and 42, to insert the term "single-stranded" in claim 51, and to insert the phrase "consisting of a single stranded polynucleotide" in claim 52.

During the interview, the Examiner stated that the amendments to claims 41 and 42 are acceptable, since the phrase "complementary sequence" is disclosed on page 28, line 11 of the specification. Further, the Examiner also indicated that the addition of the language "single-stranded" to claim 51 and the phrase "consisting of a single-stranded polynucleotide" to claim 52 were acceptable.

Conclusion

Applicants respectfully submit that all of the outstanding issues precluding allowance of the present application have been addressed and overcome by Applicants, such that the instant claims

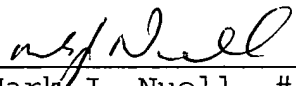
are now in condition for allowance. The favorable action of allowance of all of the pending claims is respectfully requested.

If there are any minor matters precluding allowance of the application which may be resolved by a telephone discussion, the Examiner is respectfully requested to contact Kristi L. Rupert, Ph.D. (Reg. No. 45,702) at (703) 205-8000.

Pursuant to the provisions of 37 C.F.R. §§ 1.17 and 1.136(a), the Applicants hereby petition for an extension of two (2) months to June 14, 2002, in which to file a reply to the Office Action. The required fee of \$400.00 is enclosed herewith.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,
BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Mark J. Nuell, #36,623

DRN/KLR
0020-4546P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachment: Version with Markings to Show Changes Made

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Claims 43, 45, and 54 are canceled.

The claims have been amended as follows:

Claim 41. (Three Times Amended) An isolated nucleic acid molecule comprising a complement of a polynucleotide that specifically hybridizes with a polynucleotide having a nucleotide sequence selected from the group consisting of:

(a) the nucleotide sequence of SEQ ID NO:1; and

(b) the nucleotide sequence of SEQ ID NO:2;

under conditions of a buffer comprising 45%(v/v) formamide, 5x SSPE, at 42°C, and washing after hybridization with a buffer comprising 2xSSPE at 42°C, and that encodes a protein having the biological activity of inhibiting neurite outgrowth from dorsal root ganglion cells.

Claim 42. (Three Times Amended) An isolated nucleic acid molecule comprising a polynucleotide that specifically hybridizes with a complement of a polynucleotide having a nucleotide sequence selected from the group consisting of:

(a) the nucleotide sequence of SEQ ID NO:1; and

(b) the nucleotide sequence of SEQ ID NO:2;

under conditions of a buffer comprising 45%(v/v) formamide, 5x SSPE, at 42°C, and washing after hybridization with a buffer comprising 2xSSPE, at 42°C, and that encodes a protein having the biological activity of collapsing growth cones of retinal ganglion cells.

Claim 48. (Three Times Amended) An expression plasmid comprising the nucleic acid molecule of claim 34, 41, or 42[, 43, or 45].

Claim 51. (Three Times Amended) An isolated nucleic acid molecule consisting of a single-stranded polynucleotide consisting of at least 27 contiguous nucleotides of SEQ ID NO:2, 4, or 10 with the proviso that said nucleic acid molecule does not consist of a polynucleotide consisting of at least 27 contiguous nucleotides disclosed in GenBank Accession No:T09073 or GenBank Accession No:R54387.

Claim 52. (Amended) An isolated nucleic acid molecule
consisting of a single-stranded polynucleotide that is
complementary to the nucleic acid molecule of claim 51.